

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY MEDICAL COMMAND
2050 WORTH ROAD
FORT SAM HOUSTON, TX 78234-6000

MCCS

OTSG/MEDCOM Policy Memo 06-037

22 DEC 2006

Expires 22 December 2008

MEMORANDUM FOR COMMANDERS, MEDCOM Regional Medical Commands

SUBJECT: Custody and Control of Outpatient Medical Records – Exceptions to Policy

1. References:

- a. DoDI 6040.43, Custody and Control of Outpatient Medical Records, 10 Jun 04.
- b. AR 40-66, Medical Record Administration and Health Care Documentation, 21 Jun 06.

2. Purpose: To define exceptions to the policy prohibiting the "hand-carrying" of medical records by Soldiers and family members. The policy serves as interim guidance until Armed Forces Health Longitudinal Technology Application (AHLTA) subsumes the paper medical record.

3. Proponent: The proponent for this policy is the Patient Administration Division, Health Policy and Services Directorate.

4. Policy:

- a. The Assistant Secretary of Defense (Health Affairs) established policies and procedures regarding the control, release, and safeguarding of MHS beneficiary medical records to eliminate the unauthorized retention of medical records by beneficiaries.
- b. This policy also established that original medical documentation and original medical records be retained at the military treatment facilities (MTFs) where treatment is being rendered.
- c. Army medical records will remain in the custody of MTFs at all times and will not be "hand-carried" by the patient. However, there are circumstances in which continuity of care may override record custody concerns. As a result, exceptions to the DoD policy have been made for:
 - (1) Soldier and family member OCONUS Permanent Change of Station (PCS) moves.
 - (2) Soldiers performing Temporary Duty (TDY), where the full medical record is required.

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- (3) Soldier and family member CONUS PCS moves to remote duty stations.
- (4) Unique situations in which the custodial MTF Commander determines that it is in the best interest of patient care to allow for hand-carrying of medical records.
- 5. Responsibilities. MTF Commanders will establish local operating policies for:
 - a. Enforcing the requirement for the MTF to maintain custody and control of all medical records in accordance with AR 40-66, para 1-5. Whenever possible, it is preferable to provide Soldiers with copies rather than actual medical records to preclude loss of control.
 - b. Establishing an electronic records room designation in CHCS for remotely stationed personnel and their family members, and establish policies necessary to maintain these records for the duration of remote duty assignments.
 - c. Coordinating the retrieval of medical documentation resulting from MTF referred visits to the TRICARE network.
 - d. Establishing procedures for Soldiers and family members to return their medical records at the completion of the TDY or PCS.
- 6. Procedures:
 - a. OCONUS PCS:
 - (1) Soldier must present valid OCONUS orders to the MTF record custodian. For release of family member records, orders must include movement of family members to the OCONUS site. If family members are not listed on OCONUS orders, the original record will not be released and the Soldier or family member will be instructed to request their medical records upon arriving at the new OCONUS MTF location. Note: The patient may be provided a copy of the medical record.
 - (2) MTF record custodian will verify if the gaining MTF uses AHLTA prior to transfer. If the MTF uses AHLTA and the patient requests a copy of electronic medical information, the patient will be provided copies of medically needed information from AHLTA.
 - (3) MTF will release the medical record(s) to the Soldier/family member following standard charge-out and record tracking procedures in CHCS, including maintaining a copy of the PCS orders.
 - b. TDY:
 - (1) MTF record custodian will verify if the MTF or medical in-processing station at the TDY site uses AHLTA prior to transfer. If the gaining MTF uses AHLTA, copies of electronic medical documentation are not necessary. If AHLTA is not in use, the Soldier may request a copy of his medical record.

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(2) If the school requests a copy of the medical record, the Soldier will be provided DD Form 2766 with copies of pertinent medical information. If the school requests the original medical record, it will be released to the Soldier and standard charge out procedures will be followed; and the Soldier will be directed to return the medical record upon return. (Note: If the Soldier is going TDY enroute to another PCS, they will be allowed to handcarry the record from the TDY station to the next permanent station).

(3) While the Soldier is TDY, the installation's MTF at the TDY location maintains the medical record.

c. PCS to Remote Locations:

(1) Soldiers must present valid PCS orders indicating a duty location more than 100 miles from an MTF (TRICARE remote standard) that makes it unviable for the patient to travel to the MTF.

(2) The losing facility will maintain custody of the original medical record but will provide the patient a copy. When the Soldier and family PCS to their next duty station, they will have the gaining MTF request the medical record from the losing MTF.

(3) The MTF will follow standard procedures charge-out and record tracking procedures if a record transfer occurs.

(4) In cases in which the original medical record is released due to CONUS Remote PCS move, the MTF will follow interim AHLTA Scanning Guidance to scan in any documentation that could result in future medical disability claims.

d. Unique Situations: The MTF Commanders have the authority to approve the handcarrying of medical records when it is determined that it is in the best interest of patient care to do so.

7. POC for this memorandum is Ms. Teresa Foley, Patient Administration Division, Health Policy and Services Directorate, DSN 761-3109, or commercial (703) 681-3109.

FOR THE COMMANDER:


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Chief of Staff